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§13–3303.1.

(a) In this section, “Compassionate Use Fund” means the Natalie M. LaPrade Medical Cannabis Compassionate Use Fund.

(b) There is a Natalie M. LaPrade Medical Cannabis Compassionate Use Fund.

(c) (1) The Department shall:

(i) Administer the Compassionate Use Fund; and

(ii) Subject to paragraph (2) of this subsection, set fees in an amount necessary to provide revenues for the purposes of the Compassionate Use Fund.

(2) The Commission may not impose the fees established under paragraph (1)(ii) of this subsection on a licensed medical cannabis grower, processor, or dispensary during the 2 years immediately following the preapproval of the licensee for a license under this subtitle.

(d) The purpose of the Compassionate Use Fund is to provide access to medical cannabis for individuals enrolled in the Maryland Medical Assistance Program or in the Veterans Administration Maryland Health Care System.

(e) (1) The Compassionate Use Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Compassionate Use Fund separately, and the Comptroller shall account for the Compassionate Use Fund.

(3) The Compassionate Use Fund shall be invested and reinvested in the same manner as other State funds, and any investment earnings shall be retained to the credit of the Compassionate Use Fund.

(4) The Compassionate Use Fund shall be subject to an audit by the Office of Legislative Audits as provided for in § 2–1220 of the State Government Article.

(5) The Comptroller shall pay out money from the Compassionate Use Fund as directed by the Department.

(f) (1) On or before December 1, 2018, the Commission, in consultation with the Department, shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on:

(i) The revenues the Commission anticipates are necessary to implement the program described in subsection (i) of this section;

(ii) The amount of fees and the licensees on which those fees shall be assessed in order to generate the necessary revenues;

(iii) The use of any other funding mechanism to implement the program; and

(iv) Any anticipated savings in prescription drug costs for the Maryland Medical Assistance Program that would result from the provision of medical cannabis under this subtitle.

(2) The Commission may hire an independent actuary to assist the Commission in the preparation of the report required under paragraph (1) of this subsection.

(g) No part of the Compassionate Use Fund may revert or be credited to:

(1) The General Fund of the State; or

(2) Any other special fund of the State.

(h) Expenditures from the Compassionate Use Fund may be made only in accordance with the State budget.

(i) (1) The Department, in consultation with the Commission, shall establish a program to allow eligible individuals enrolled in the Maryland Medical Assistance Program or in the Veterans Administration Maryland Health Care System to:

(i) Obtain medical cannabis from a licensed dispensary at no cost or a reduced cost; and

(ii) Reimburse a licensed dispensary for the cost of the medical cannabis dispensed to an eligible individual under the program from the Compassionate Use Fund.

(2) The Department shall adopt regulations to implement this subsection.

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